

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 3, 2004

DIVISION TWO

MISCELLANEOUS ORDER No. 2004-1956

By the Court:

In pending appeals in which an appellant's opening brief was filed prior to the date this order is issued, and in which an opinion has not yet been filed, an application for leave to file a supplemental opening brief shall not be required before filing of a supplemental brief in which proponent's claim for relief is premised on the decision of the *United State Supreme Court in Blakely v. Washington (No. 02-1632. June 24, 2004) 542 U.S. ____; 124 S.Ct. 2531; 159 L. Ed.2d 403; 2004 WL 1402697; 2004 DJDAR 7581*. Henceforth, appellants shall not submit for filing any application for leave to file a supplemental brief premised on Blakely.

If a supplemental opening brief is filed pursuant to this order, the time for filing respondent's brief shall be extended by 15 days. If respondent's brief has already been filed, respondent shall have leave to file a supplemental respondent's brief within 15 days of the date of filing of the appellant's supplemental opening brief.

BOREN, Presiding Justice

DIVISION FOUR

B171077 Los Angeles County, D.C.S. (Not for Publication)
v.
Maritza M.

The orders assuming jurisdiction and terminating reunification services are affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

B169776 People (Not for Publication)
v.
Waller

The judgment entered following revocation of probation is affirmed. The case is remanded to the superior court for recalculation of actual days in custody and the proper number of conduct credits.

Epstein, Acting P.J.

We concur: Hastings, J.
 Curry, J.

B148135 Iredale
v.
Cates

Filed order certifying opinion for partial publication.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

DIVISION FIVE (Continued)

Each of the following:

B171949 Peo v. Bell
B170938 Peo v. Edgar G.
B171293 Peo v. Brimmer
B172119 DCFS v. Latiesha H.
B175584 Peo v. Hall
B176014 Peo v. Chavez

Argument waived, cause submitted.

B169770 Peter Nava
 v.
 City of Alhambra

Merits:

Argued by Michael Alan Morguess for appellant and by Timothy L. Davis, deputy city attorney, for respondents. Cause submitted.

Court recessed at 9:25 a.m.

Court reconvened at 10:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

B173433 People v. Marquez

Argument waived, cause submitted.

B168030 Uniwell L.P.
 v.
 City of Los Angeles et al.

Merits:

Argued by Richard Laskin for appellant and by Jolaine Harkness and Patricia A. Cirucci for respondents. Cause submitted.

DIVISION FIVE (Continued)

B169274 People
 v.
 Dalrick Henry

Merits:
Argued by Patricia Ihara for appellant and by Douglas C.S. Lee, deputy attorney general, for respondent. Cause submitted.

B171570 Michael Flatley
 v.
 D. Dean Mauro

Merits:
Douglas J. Collodell for appellant and by Bertram Fields for respondent. Cause submitted.

Court recessed at 11:20 a.m.

Court reconvened at 11:25 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J., and J. Belcher, Deputy Clerk.

Each of the following:

B171349 Peo v. Haris B.
B173032 DCFS v. Cherish N.

Argument waived, cause submitted.

B168940 Los Angeles County, D.C.S.
 v.
 Michael H.
 In re Nyoka H.

Merits:
Argued by Tyna Thall Orren for appellant and by Pamela Landeros, deputy county counsel, for respondent. Cause submitted.

DIVISION FIVE (Continued)

B171959 People
 v.
 Mark Guerrero

Merits:
Argued by Sherwin C. Edelberg for appellant and by Lance E. Winters,
deputy attorney general, for respondent. Cause submitted.

Court recessed at 11:40 a.m.

Court reconvened at 1:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

B162926 Cohen v. Fabe

Argument waived, cause submitted.

B169282 Donato Garcia
 v.
 County of Los Angeles

Merits:
Argued by Stephen M. Harris for appellant and by Jennifer Lehman for
respondents. Cause submitted.

B168759 Maria Alvarado
 v.
 Jose Alvarado

Merits:
Argued by Jeremy Dolnick for appellant and by Marjorie Fuller for
respondent. Cause submitted.

August 03, 2004 (Continued)

DIVISION FIVE (Continued)

B167292 Maria Javier et al.
v.
Luisito Lopez

Merits:
Argued by Joel R. Bander for appellant. No appearance for respondents.
Cause submitted.

B168154 American Environmental Safety Institute et al.
v.
Joan Denton et al.

Merits:
Argued by Roger Carrick for appellants and by Edward Weil, deputy attorney general, for respondents. Cause submitted.

Court recessed at 2:25 p.m.

DIVISION SEVEN

B163096 Voda (Not for Publication)
v.
California State University, Los Angeles et al.

The judgment is reversed as to plaintiff's cause of action for breach of contract and modified to strike the award of costs for blowups of the releases from liability, signature exemplars and the jury instruction on hazardous recreational activities. In all other respects the judgment is affirmed. Each party shall bear its own costs on appeal.

Johnson, J.

We concur: Perluss, P.J.
Zelon, J.

August 03, 2004 (Continued)

DIVISION SEVEN (Continued)

B165782 People
v.
Rauls

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B166338 People v. Quintero (Not for Publication)

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B168360 Los Angeles County, D.C.S. (Not for Publication)
v.
Lisa K. et al.

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.